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RCE 1635

PTO/SB/30 (09-03)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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Alexandria, VA 22313-1450

Application Number	09/889,802
Filing Date	September 17, 2001
First Named Inventor	Kreutzer
Art Unit	1635
Examiner Name	Brian A. Whiteman
Attorney Docket Number	20200/2092

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-0085
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kathleen Williams	Registration No. (Attorney/Agent)	34,380
Signature	<i>Amy DeCloux</i> P54849 for Kathleen Williams	Date	March 23, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as **EXPRESS** **#EV242756604US** class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Amy DeCloux	Date	March 23, 2004
Signature	<i>Amy DeCloux</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Atty. Docket No.: 20200/2092

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kreutzer, et al.  
Serial No.: 09/889,802  
Filed: September 17, 2001  
Entitled: Compositions and Methods for  
Inhibiting the Expression of a  
Defined Gene.

Examiner: Brian A Whiteman  
Group Art Unit: 1635  
Conf. No.: 8835

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EV242756604US** on this date, **March 23, 2004**, postage prepaid, in an envelope addressed to Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy Decloux

Name of Person Mailing Paper

*Amy Decloux*

Signature of Person Mailing Paper

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT**

Sir:

This Amendment is supplemental to the Amendment After Final filed March 1, 2004, which was not entered, and is responsive to the Advisory Action mailed December 15, 2003, in the above-referenced U.S. patent application. This Amendment is filed concurrently with a Request for Continued Examination. Please enter the following amendments and remarks before reconsideration of the claims.

**Amendments to the Claims** are shown in the "Listing of the Claims" which begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.

Applicants respectfully request entry of the amendments and remarks.